



# MARINE CORPS INSTALLATIONS EAST CONTRACTING DIVISION

## DEFINING REQUIREMENTS

# Mission Statement

MARINE CORPS INSTALLATIONS EAST CONTRIBUTES TO MARINE CORPS WAR FIGHTING EXCELLENCE BY: (1) PROVIDING TIMELY, INNOVATIVE AND EFFECTIVE PROCUREMENT SUPPORT FOR ALL CUSTOMERS; AND (2) TRAINING AND MENTORING MILITARY PROCUREMENT SPECIALIST TO CREATE ACCOMPLISHED, INDEPENDENT THINKING PROFESSIONALS

# Purpose

- The purpose of this training is to enable our customers who are responsible for submitting Procurement Requests (PRs) on behalf of an activity; to define the needs of the Government.

# Overview

- Defining Requirements
- Requirements for Supplies
- Market Research
- Service Requirements

The background of the slide is a light beige color with a faint, technical drawing or architectural plan overlaid. The drawing features a grid of lines and a prominent curved line that sweeps across the frame. The text "Defining Requirements" is centered in a dark blue, sans-serif font.

# Defining Requirements

# Defining the Requirement

- Defining the requirement is the first step in the procurement process

Who is responsible in identifying the requirement?

- Project Officers/Requiring Activities
  - Identify
  - Define
  - Procurement details needed

# Defining Requirements

- First step in the process of identify a requirement to the Contracting Officer is to answer:
  - Who needs it (customer)?
  - What is being requested?
  - Where will it be utilized?
  - When is it needed?
  - Why do you need the item?
  - How does it hinder the units mission?



# **Requirements for Supplies**

# Requirements for Supplies

## FAR 11

- As a general rule, when defining requirements, the Project Officer/Requiring Activity should emphasize the necessary:
  - a) Functional characteristics to be performed
  - b) Performance characteristics required
  - c) Essential physical characteristics.
- Not Brand Names
- Define the Government's minimum requirement

# Requirement for Supplies

- Description shall not:
  - Specify a product
  - Feature of a product peculiar to one manufacturer
- Unless
  - Product or feature is essential
    - Example:
      - Specific IT supplies
        - » Dell Hard Drives
      - Warranties

# Maximum Competition

FAR 11.105

To provide maximum competition, directs that agency requirements shall not be written so as to require a particular:

- Brand name
- Product
- Feature of a product
- Peculiar to one manufacturer

Thereby precluding consideration of a product manufactured by another company

# Requirements for Supplies

Requiring Activity shall provide:

- All possible information relating to that product
- An explanation of its desired functionality
- Data regarding the end user's need

This can be accomplished by conducting market research

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# Market Research

# Why Conduct Market Research

- Reveal options for the best practices
- Prices that the industry has to offer
- Identify possible socioeconomic opportunities within the community
- Types of interested organizations
- Alternative products and technologies being used
- Identify products and technologies, particularly to determine if a commercial item can meet the Government's requirements.
- Identify the size and status of potential vendors.
- Assess the competitiveness of the market.
- Identify commercial practices.

# Market Research Methods

- Contacting knowledgeable individuals
  - Market
  - Government
- Review recent market research
- Querying Government databases
- On-Line website that provide supplies and services
- Acquisition personnel
- Other customers
- Review catalogs



# Service Requirements

# Service Requirements

- A contract that directly engages the time and effort of a contractor whose primary purpose is to perform an identifiable task rather than to furnish an end item of supply

# Service Requirements

The requiring activity shall:

- Specify the required support
- Estimate the duration of need
- Outline desired results

This will facilitate obtaining the best possible services and maximizing the outcome.

# Service Requirements

*A service requirement shall answer:*

- *What* needs to be accomplished, not *how*
- Consist of a Performance-based Work Statement (PWS)
  - Measurable Performance Standards
  - Remedies and/or Incentives
  - Performance Assessment Plan or Quality Assurance Surveillance Plan (QASP).

# Quality Assurance Surveillance Plan (QASP)

Describes:

- How the agency will:
  - Survey
  - Observe
  - Rest
  - Sample
  - Evaluate
  - Document

The contractor's performance in order to meet critical performance standards identified in the contract.

# Key Issues

- Short Term:
  - Identify requirements ahead of time to prevent:
    - Lack of on time delivery of supplies/services
    - Unauthorized Commitments
- Long term:
  - Forecasting Requirements
  - Consequences of last minute PR submissions
  - Apply & receive required waivers PRIOR to PR submission

If you are seeking funding, be specific about any issues that require financial resources for resolution.

# Sole Source

- FAR 6.302
  - Supplies and services may be considered to be available from only one source if one of the following examples is met:
    - Unique supplies or services are available from only one or a limited number of sources
    - A follow on contract for the continued development/production of a major system or highly specialized equipment (or major components thereof) is needed
    - Award to any other source would result in substantial duplication of cost to the Government that is not expected to be recovered through competition or unacceptable delays in fulfilling the requirement
    - The agency's need is for a brand name commercial item

# Sole Source

- Technical and requirements personnel are responsible for providing and certifying as accurate and complete necessary data to support their recommendation for other than full and open competition

# Brand Name Justifications

- Has a specification that call for a particular brand name product, or a feature of a product, that is peculiar to one manufacturer, and which does not permit the offer or delivery of an equal.

This request requires a Brand Name Justification

- FAR 6.303

Contracting Office is federally mandated to publicize the justification with the solicitation

FAR 6.305

# Brand Name or Equal

- Description must include those salient physical, functional, or other characteristics of the brand name product that are deemed essential in meeting the government's needs.
- Generally the minimum acceptable description in government contracting; prospective contractors must be allowed to offer products other than those named by brand if those other products will meet the needs of the government

The background of the slide is a blurred, sepia-toned image of a financial chart, likely a candlestick or bar chart, with a grid. A solid blue vertical bar runs along the left edge of the slide, and a thinner blue vertical bar runs along the right edge. The word "QUESTIONS" is centered in a bold, dark blue, sans-serif font.

# QUESTIONS